

BRETT BENDER	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
LEE PAVORSKY D/B/A LL PAVORSKY	:	JURY TRIAL DEMANDED
JEWELERS and PAVORSKY, LTD.	:	
	:	
Defendants.	:	

TO THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA:

4. Plaintiff's Complaint contains allegations that Defendants infringed upon certain of Plaintiff's alleged copyrights.

5. Plaintiff's Complaint specifically identifies a work, "The Ring", as a work for which Plaintiff has a registered copyright and which the Defendants have allegedly used without permission.

6. Copyright actions are within the original and exclusive jurisdiction of the federal courts by virtue of 28 U.S.C.A. Section 1338(a), and are therefore removable under 28 U.S.C.A. Section 1441(a).

7. The causes of action in Plaintiff's complaint consist of claims for ownership of a copyrighted work and conduct that allegedly violates the exclusive rights granted in the Copyright Act with respect to subject matter protected by the Act. The state law rights asserted by Plaintiff are equivalent to rights within the general scope of copyright.

8. Plaintiff's state law claims are preempted by federal law.

9. This Notice is timely, it being filed within thirty (30) days of the receipt of a copy of the Complaint in this matter.

WHEREFORE, Defendants, Lee Pavorsky D/B/A LL Pavorsky Jewelers and Pavorsky, Ltd, respectfully request that this action be removed from the state court into this Court for trial and determination and that this Court make an Order of Removal for the said action.

Respectfully submitted,

WHITE AND WILLIAMS LLP

BY: /s/ Robert E. Campbell
Michael O. Kassak, Esquire
Robert E. Campbell, Esquire
LibertyView | 457 Haddonfield Road,
Suite 400 |
Cherry Hill, NJ 08002-2220
Phone: 856.317.3600
kassakm@whiteandwilliams.com
campbellr@whiteandwilliams.com
Attorneys for Defendants
Lee Pavorsky d/b/a LL Pavorsky
Jewelers and Pavorsky, Ltd.

Dated: January 23, 2015

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRETT BENDER	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
LEE PAVORSKY D/B/A LL PAVORSKY	:	JURY TRIAL DEMANDED
JEWELERS and PAVORSKY, LTD.	:	
	:	
Defendants.	:	

NOTICE TO PLAINTIFF

TO: Dennis P. McCooe, Esquire
Matthew A. Homyk, Esquire
Blank Rome LLP
One Logan Square
Philadelphia, PA 190103-6998

PLEASE take notice that Defendants Lee Pavorsky d/b/a LL Pavorsky Jewelers and Pavorsky, Ltd. have filed a Notice in the United States District Court for the Eastern District of Pennsylvania for removal of an action now pending in the Court of Common Pleas of Philadelphia County, Pennsylvania captioned Brett Bender v. Lee Pavorsky d/b/a LL Pavorsky Jewelers and Pavorsky, Ltd., docket number 1412043461.

FURTHER, take notice that Lee Pavorsky d/b/a LL Pavorsky Jewelers and Pavorsky, Ltd. have at the same time filed a copy of the Complaint which was filed and entered in the Court of Common Pleas of Philadelphia County. A copy of said Notice of Removal is attached to this Notice and is hereby served upon you.

Respectfully submitted,

WHITE AND WILLIAMS LLP

BY: /s/ Robert E. Campbell
Michael O. Kassak, Esquire
Robert E. Campbell, Esquire
LibertyView | 457 Haddonfield Road,
Suite 400 |
Cherry Hill, NJ 08002-2220
Phone: 856.317.3600
kassakm@whiteandwilliams.com
campbellr@whiteandwilliams.com
Attorneys for Defendants
Lee Pavorsky d/b/a L.L. Pavorsky
Jewelers and Pavorsky, Ltd.

Dated: January 23, 2015

BRETT BENDER	:	CIVIL ACTION
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LEE PAVORSKY D/B/A LL PAVORSKY	:	JURY TRIAL DEMANDED
JEWELERS and PAVORSKY, LTD.	:	
	:	
Defendants.	:	

TO THE CLERK OF THE COURT:

Respectfully submitted,

BY: /s/ Robert E. Campbell
Michael O. Kassak, Esquire
Robert E. Campbell, Esquire
LibertyView | 457 Haddonfield Road,
Suite 400 |
Cherry Hill, NJ 08002-2220
Phone: 856.317.3600
kassakm@whiteandwilliams.com
campbellr@whiteandwilliams.com
Attorneys for Defendants
Lee Pavorsky d/b/a LL Pavorsky
Jewelers and Pavorsky, Ltd.

14854945v.1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRETT BENDER	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
LEE PAVORSKY D/B/A LL PAVORSKY JEWELERS and PAVORSKY, LTD.	:	JURY TRIAL DEMANDED
	:	
Defendants.	:	

CERTIFICATE OF SERVICE

I, Robert E. Campbell, Esquire, hereby certify that on January 23, 2015, I caused a true and correct copy of the foregoing Notice of Removal; Civil Cover Sheet; U.S. District Court Designation Form; Disclosure Statement; Case Management Track Designation Form; Notice to Plaintiff; and Proof of Filing to be served upon the following persons via first-class mail and electronic mail:

Dennis P. McCooe, Esquire
Matthew A. Homyk, Esquire
Blank Rome LLP
One Logan Square
Philadelphia, PA 190103-6998

Respectfully submitted,

WHITE AND WILLIAMS LLP

BY: /s/ Robert E. Campbell
Michael O. Kassak, Esquire
Robert E. Campbell, Esquire
LibertyView | 457 Haddonfield Road,
Suite 400 |
Cherry Hill, NJ 08002-2220

Dated: January 23, 2015

Phone: 856.317.3600
kassakm@whiteandwilliams.com
campbellr@whiteandwilliams.com
Attorneys for Defendants
Lee Pavorsky d/b/a LL Pavorsky
Jewelers and Pavorsky, Ltd.

BLANK ROME LLP

Dennis P. McCooc, Esquire
Matthew A. Homyk, Esquire
Attorney I.D. Nos. 74739, 312265
One Logan Square
Philadelphia, PA 19103-6998
(215) 569-5500

Attorneys for Plaintiff

BRETT BENDER
2240 Pemberton Street
Philadelphia, PA 19146,

Plaintiff,

v.

LEE PAVORSKY D/B/A
LL PAVORSKY JEWELERS
707 Walnut Street
Philadelphia, PA 19106, and

PAVORSKY, LTD.
707 Walnut Street
Philadelphia, PA 19106,

Defendants,

PHILADELPHIA
COURT OF COMMON
PLEAS

CIVIL ACTION

JURY TRIAL
DEMANDED

No. _____

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede



claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PHILADELPHIA BAR ASSOCIATION
Lawyer Referral and Information Service
One Reading Center
Philadelphia, Pennsylvania 19107
(215) 238-6300

decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

ASOCIACIÓN DE LICENCIADOS DE
FILDELFA
Servicio De Referencia E Información Legal
One Reading Center
Filadelfia, Pennsylvania 19107
(215) 238-6300

BLANK ROME LLP

Dennis P. McCooc, Esquire
 Matthew A. Homyk, Esquire
 Attorney I.D. Nos. 74739, 312265
 One Logan Square
 Philadelphia, PA 19103-6998
 (215) 569-5500

Attorneys for Plaintiff

BRETT BENDER
 2240 Pemberton Street
 Philadelphia, PA 19146,

Plaintiff,

v.

LEE PAVORSKY D/B/A
 LL PAVORSKY JEWELERS
 707 Walnut Street
 Philadelphia, PA 19106, and

PAVORSKY, LTD.
 707 Walnut Street
 Philadelphia, PA 19106,

Defendants,

PHILADELPHIA
 COURT OF COMMON
 PLEAS

CIVIL ACTION

JURY TRIAL
 DEMANDED

No. _____

COMPLAINT

Plaintiff, Brett Bender ("Plaintiff"), by and through his undersigned counsel, Blank Rome LLP, hereby files this Complaint against defendants Lee Pavorsky d/b/a LL Pavorsky Jewelers and Pavorsky, Ltd. (each a "Defendant" and, together, "Defendants"), and avers the following:

THE PARTIES

1. Plaintiff Brett Bender is an adult individual residing at 2240 Pemberton Street, Philadelphia, PA 19146.

2. Upon information and belief, Defendant Lee Pavorsky is an adult individual residing at 11 Olympic Drive, Voorhees, NJ 08043. Upon information and belief, Defendant Lee Pavorsky operates a jewelry and accessories retail business under the fictitious name, LL Pavorsky Jewelers, at 707 Walnut Street, Philadelphia, PA, 19106.

3. Upon information and belief, Defendant Pavorsky, Ltd. is a closely held corporation organized and existing pursuant to the laws and statutes of the Commonwealth of Pennsylvania with an address at 707 Walnut Street, Philadelphia, PA 19106.

JURISDICTION

4. This is an action for breach of contract, unjust enrichment, common law unfair competition, and conversion.

5. This Court has original jurisdiction over this action because Defendant Lee Pavorsky, *inter alia*, transacts business in the City of Philadelphia, Commonwealth of Pennsylvania.

6. Venue is proper in this Court because a substantial part of the events giving rise to the claims occurred in the forum.

FACTUAL BACKGROUND

7. Plaintiff is an artist living and working in Philadelphia. He studied professionally at Tyler Philadelphia and Tyler Rome, as well as with the Pennsylvania Academy of Fine Arts. Exhibited widely, Plaintiff's works are privately and publicly collected and commissioned.

8. His contributions to The AIDS Library of Philadelphia, The Zoo Renewal Fund, Komen Philadelphia, Big Brother's Big Sister's of Philadelphia, and The Philadelphia League of Women Voters are but a few of the many recipients of Bender's civic efforts.

9. There is an established market value for Plaintiff's works.

10. In addition to the retail store located at 707 Walnut Street in Philadelphia, Defendants also operate a web site that offers and sells jewelry and related accessories at the Internet address, www.llpavorsky.com.

11. In 1995, Plaintiff and Mr. Pavorsky conferred about Defendants' need for a logo for his business. In or around September, 1995, Plaintiff created a new typography and font, as well as several logos and designs for Mr. Pavorsky's consideration.

12. Among the works presented by Plaintiff were: "The Ring," registered with the U.S. Copyright Office as Copyright Reg. No. VAu-1-160-053. (See Certificate of Registration at Exhibit A and related deposit materials at Exhibit B.) (the "Bender Works").

13. No written agreement was exchanged and no express contractual understanding was ever reached by the Parties.

14. Defendants thereafter began to use the Bender Works in advertising, marketing, and packaging materials for his jewelry and gift business.

15. From time to time, Defendants thereafter would make requests to Plaintiff for additional artwork to be used in advertising, marketing and packaging materials for his jewelry and gift business.

16. More recently, Defendants created new advertising campaigns that made unauthorized use of the Bender Works. Among other things, Defendants' new advertising campaigns unlawfully combined the Bender Works with other, unrelated artwork, removed Plaintiff's name and copyright symbol from the works, and created derivative works of the Bender Works.

17. On December 11, 2013, Plaintiff contacted Defendants and demanded that Defendants cease all use of the Bender Works. Defendants refused.

18. In May, 2014, Plaintiff's counsel contacted Defendants and repeated the earlier demands.

19. In June, 2014, Defendants acknowledged receipt of Plaintiff's counsel's letter but did not respond with anything substantive.

20. To date, the dispute remains unresolved and Defendants have continued to make unauthorized use of the Bender Works. See website materials annexed hereto as Exhibit C.

COUNT I

21. Plaintiff realleges and incorporates by reference the averments of Paragraphs 1 through 20 as if fully set forth herein.

22. This count is for breach of contract.

23. Defendant's advertising campaigns have made unauthorized use of the Bender Works and and/or derivatives works thereof. Despite Plaintiff's reasonable request, Defendants have refused to cease use of the Bender Works.

24. As a result of Defendants' unlawful and willful acts, Plaintiff has suffered, and continues to suffer, substantial damages and irreparable injury, in an amount not yet calculated.

25. Plaintiff has no adequate remedy at law and, therefore, is entitled to preliminary and permanent injunctive relief.

COUNT II

26. Plaintiff realleges and incorporates by reference the averments of Paragraphs 1 through 25 as if fully set forth herein.
27. This count is for unjust enrichment.
28. Through Defendants' unauthorized use of the Bender Works and/or derivatives works thereof, Defendant received a significant benefit at the expense of Plaintiff.
29. Because Defendants did not bargain for or otherwise compensate Plaintiff for their unlawful use of the Bender Works, Defendants have been unjustly enriched. It would be unjust for Defendants to retain the benefit of the Bender Works without paying to Plaintiff the value of the benefit conferred.
30. As a result of Defendants' unlawful and willful acts, Plaintiff has suffered, and continues to suffer, substantial damages and irreparable injury, in an amount not yet calculated.
31. Plaintiff has no adequate remedy at law and, therefore, is entitled to preliminary and permanent injunctive relief.

COUNT III

32. Plaintiff realleges and incorporates by reference the averments of Paragraphs 1 through 31 as if fully set forth herein.
33. This count is for common law conversion.
34. At all times relevant hereto, Plaintiff was the rightful owner of property consisting of the Bender Works.
35. Without Plaintiff's authorization or consent, and without other lawful justification, Defendants unlawfully and willfully reproduced, distributed, publicly displayed, and/or prepared derivative works based upon the Bender Works.

36. Defendants thereby interfered with Plaintiff's exclusive right to own, possess or use the Bender Works.

37. As a result of Defendants' unlawful and willful acts, Plaintiff has suffered, and continues to suffer, substantial damages and irreparable injury, in an amount not yet calculated.

38. Plaintiff has no adequate remedy at law and, therefore, is entitled to preliminary and permanent injunctive relief.

COUNT IV

39. Plaintiff realleges and incorporates by reference the averments of Paragraphs 1 through 38 as if fully set out herein.

40. Defendants' unlawful acts constitute unfair competition.

41. Defendants' passing off of the Bender Works as their own is likely to cause confusion, mistake or deception in violation of the common law of the Commonwealth of Pennsylvania.

42. As a result of Defendant's unlawful and willful acts, Plaintiff has suffered, and continues to suffer, substantial damages and irreparable injury, in an amount not yet calculated.

43. Plaintiff has no adequate remedy at law and, therefore, is entitled to preliminary and permanent injunctive relief.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays this Court enter its order and judgment that:

(i) Judgment be entered in its favor and against Defendants as to each of the above counts;

(ii) Defendants have committed the unlawful acts as set forth in this Complaint;

- (iii) The Court issue preliminary and permanent injunctions preventing Defendants, and all persons acting by, through or under them, from:
 - (a) using the Bender Works in any medium or form;
 - (b) making any further derivative works of the Bender Works; and
 - (c) otherwise engaging in acts that violate Plaintiff's rights as set forth in this Complaint.
- (iv) Plaintiff be awarded its actual damages attributable to the breach of contract and unjust enrichment;
- (v) Plaintiff be awarded such further damages as he may have suffered as a result of Defendant's acts of conversion and unfair competition;
- (vi) Defendants be required to account for all gains, profits, and advantages derived from Defendants' unlawful acts; and
- (vii) Such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all claims that may be tried by a jury.

Respectfully submitted,

Dated: December 19, 2014

By: /s/ Dennis P. McCooe

Dennis P. McCooe

Matthew A. Homyk

Blank Rome LLP

One Logan Square

Philadelphia, PA 19103

(215) 569-5580 (telephone)

(215) 832-5580 (facsimile)

Attorneys for Plaintiff,

Brett Bender

Exhibit A

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
Vau 1-160-053

Effective date of
registration:
September 1, 2013

Title

Title of Work: The Ring

Completion/Publication

Year of Completion: 1997

Author

■ Author: Brett Bender

Author Created: 2-D artwork

Citizen of: United States

Copyright claimant

Copyright Claimant: Brett Bender

2240, Philadelphia, PA, 19146, United States

Rights and Permissions

Name: Brett Bender

Email: bbender27@aol.com

Telephone: 215-850-2088

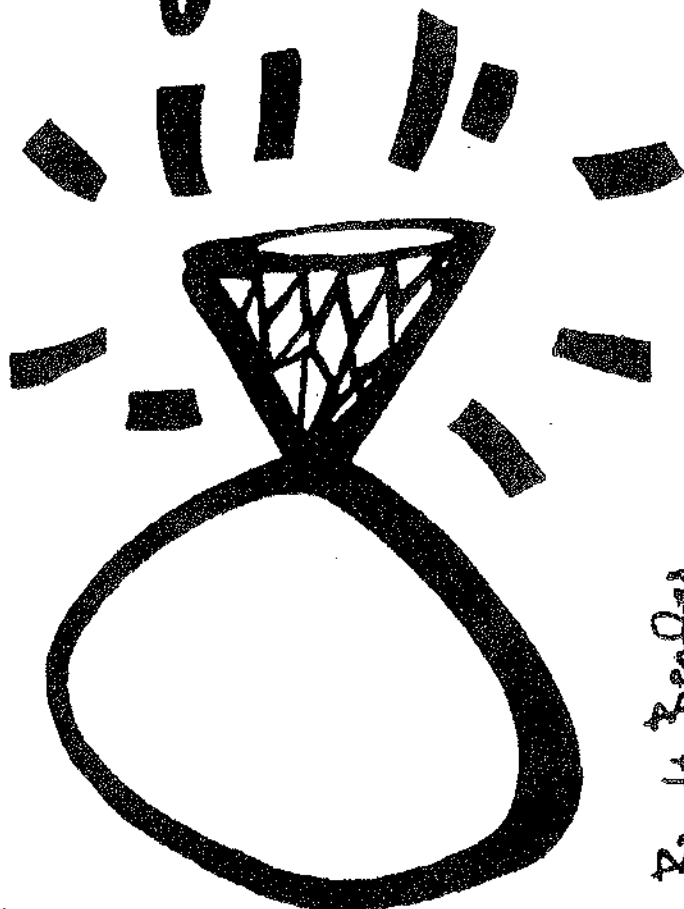
Certification

Name: Brett Bender

Date: September 1, 2013

Exhibit B

ZL PAVORSKY



Now Platinum

**JEWELS AND GIFTS
707 WALNUT STREET
PHILADELPHIA PENNSYLVANIA
19106/215-6272252**

**BRETT BENDER CORPORA+
109 KINGSCLERE DRIVE
SOUTHAMPTON PENNSYLVANIA 18966**



210 = JIC
 211 HURDING 3/22
 212 CHILDS JUST SEEN
 213 SWINGING 2 HAND SEVEN
 214 212 HERALD VIC
 215 SERVED FOR 1 WALK
 216 INCLINED TO REALITY
 217 OFFICER OF THE
 218 TROOP FOR YOU
 219 SEND OVER 300000
 220 FULL 16000000 SEVEN
 221 20000000 30000000
 222 SERVICE 11000000
 223 THE ULTIMATE 11000000
 224 RELATIONSHIP CORPS
 225 20000000 OF THE 11000000
 226 EVERYTHING TO 30000000
 227 THE 11000000 EXCUSE
 228 CONVENIENT INABILITY
 229 GROWING (11000000)
 230 11000000 WAS 11000000
 231 11000000 THE 11000000
 232 STILL LIE
 233 HOW SHE WAS 11000000 AND 11000000
 234 WALKING IN 11000000

**BRETT
BENDER**
SOLO

G A L E R I E
NADEAU

118 North Third Street
Philadelphia, Pennsylvania 19106
(215) 574-0202

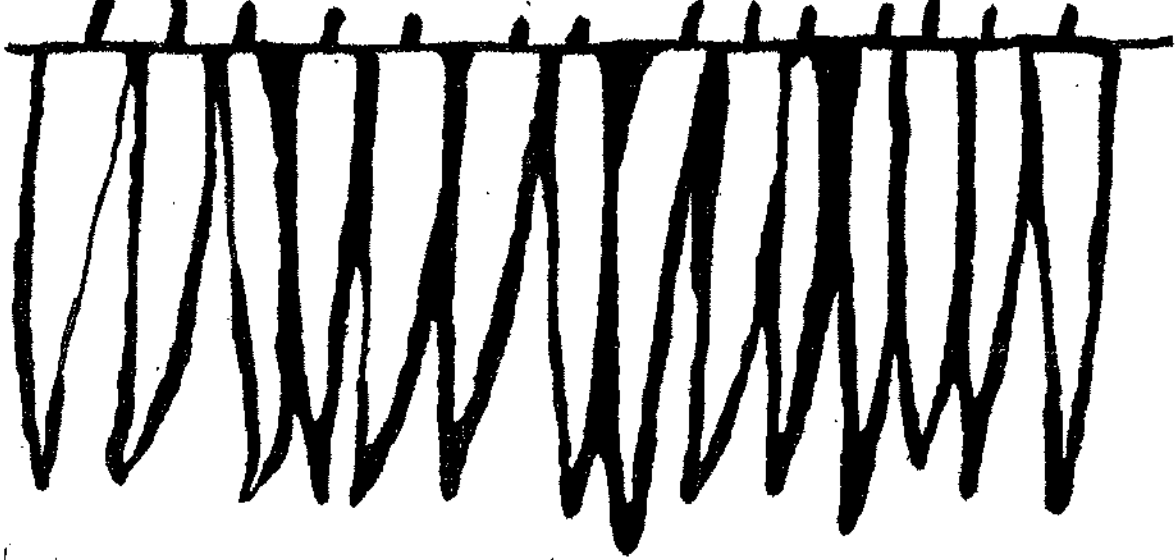
**SAVE
MAY 3RD**

BRETT BENDER

POST OFFICE BOX 30224
PHILADELPHIA PENNSYLVANIA 19103

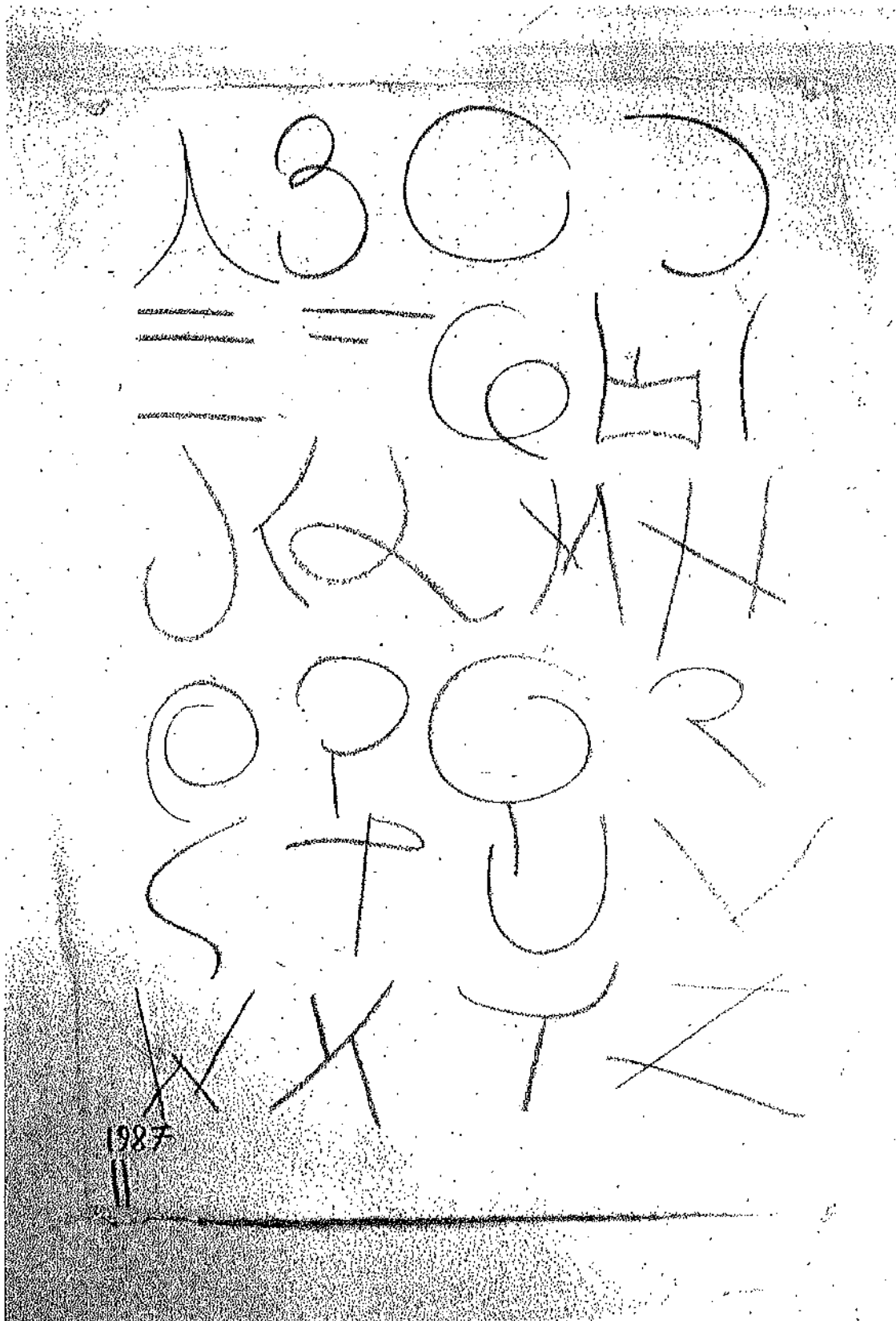
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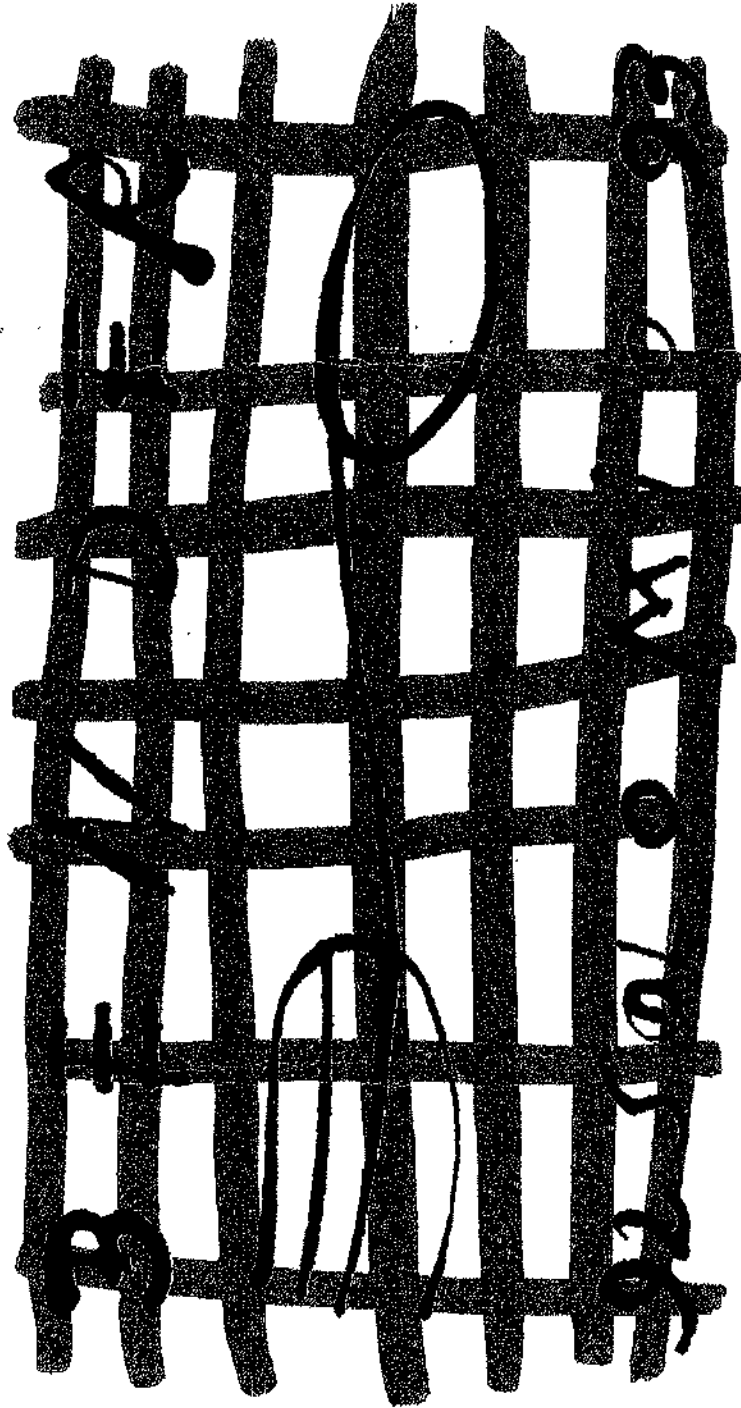
LONG FRIED HOT S!



Hot Peppers Anchovies Olive Oil and Spices Brett Binder c 92

**PHILADELPHIA
MUSIC
ALLIANCE
PRESENTS
SEVENTH
ANNUAL
TRAILBLAZERS
OF
FAMILY
GALA
1990**





BRETT BENDER



THE PHILADELPHIA MUSIC ALLIANCE

CONTACT PELLEY BROWN
CORPORATE ART ASSOCIATES
SITE SPECIFIC COMMISSIONS
AND AQUISITIONS
215-9239329 FAX 2152389488

THE PHILADELPHIA MUSIC ALLIANCE

Exhibit C

Find tacos, cheap dinner, Max's

Near Philadelphia, PA 19106

Log in

Home About Me Write a Review Find Friends Messages Talk Events



LL Pavorsky Jewelers: Photos

Add photos

1 of 26



September 30, 2014



Find tacos, cheap dinner, Max's

Near Philadelphia, PA 19106

Log In

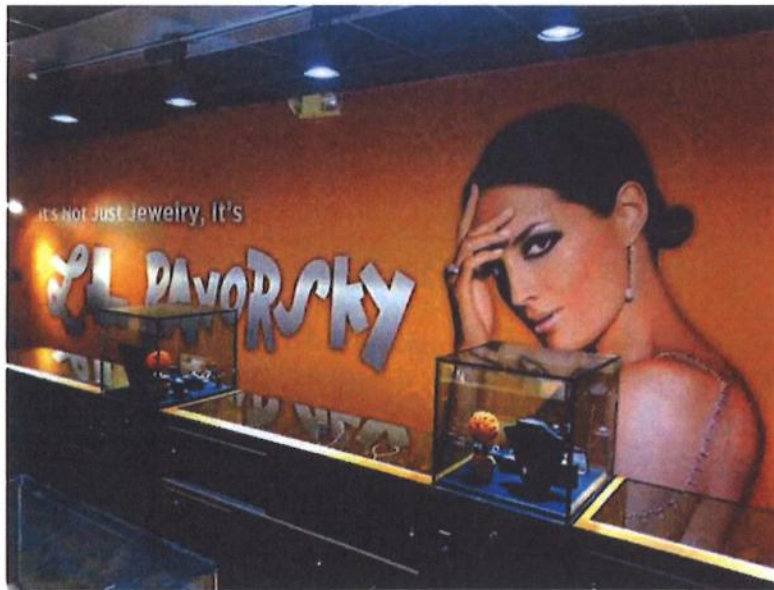
Home About Me Write a Review Find Friends Messages Talk Events



LL Pavorsky Jewelers: Photos

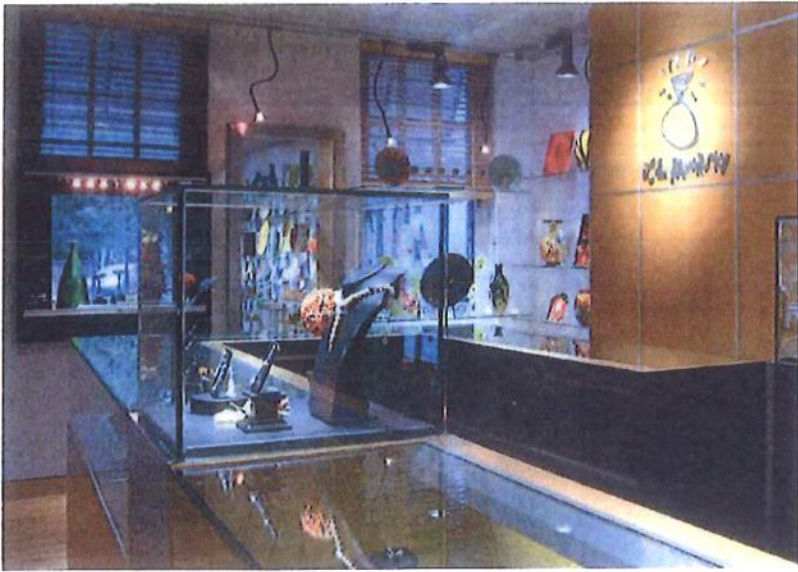
Add photos

19 of 26

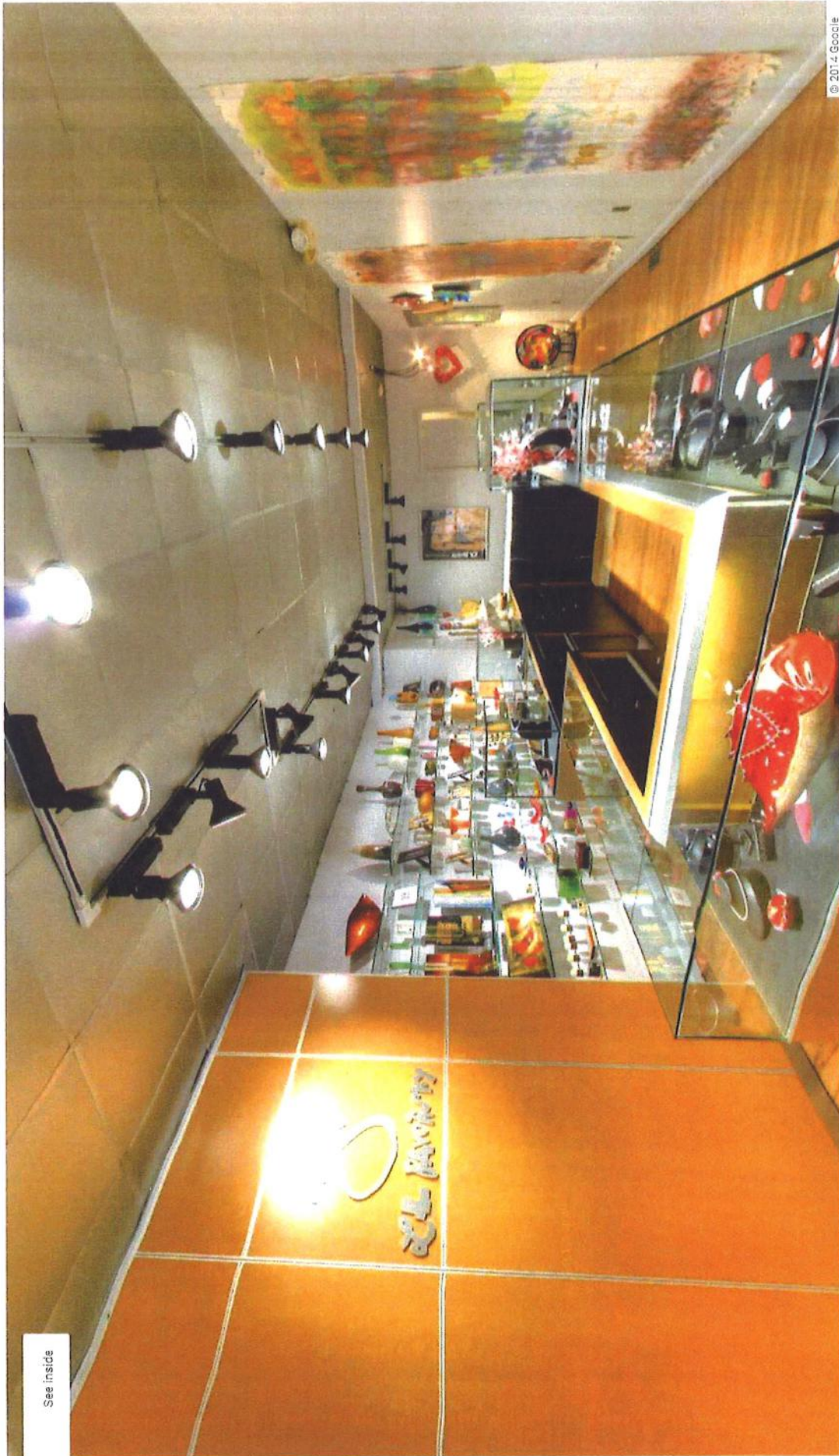


November 29, 2012





Showroom
CLOSE X



See inside

© 2014 Google

~~ph~~ 17 HOT LIST (/)

MENU

LL Pavorsky Jewelers (/business)

707 Walnut St William Penn Annex East PA

- **Phone Number:** (215) 627-2252
- **Hours:** [see hours \(/ll-pavorsky-jewelers/biz/428467\)](#)
- **Website:** [LLPavorsky.com \(http://www.LLPavorsky.com\)](http://www.LLPavorsky.com)

From the owner: LL Pavorsky Jewelers is a unique oasis for anyone seeking that "perfect" something. Lee L. Pavorsky (45) has owned and operated this store for over 22 years. In its latest incarnation which took place in 2005, he has masterfully developed an aestheti ... [show more](#)

Is this your business?

MANAGE THIS PAGE (/LL-PAVORSKY-JEWELERS/BIZ/428467/CLAIM)

90% Lower Price
than a Diamond.



► SHOP NOW



SYLVIE

CELEBRATING 20 YEARS



LL PAVORSKY
JEWELS AND GIFTS

LEE L. PAVORSKY

707 WALNUT STREET
PHILADELPHIA PA 19106
215-627-2252

LEE@LLPAVORSKY.COM



Share:

Tweet 2



The advertisement is set against a pink background. At the top, a dark red banner with white stitching contains the text "Happy Mother's Day" in a white script font. Below this is a photograph of a woman with dark hair and blue eyes, wearing a large diamond earring and a ring, looking towards the camera. To her right, a gold chain necklace with a large, ornate circular pendant is displayed. Below the photo, a dark red banner with white vertical stripes features the "LL PAVORSKY" logo, which includes a diamond icon and the brand name in a stylized font. To the right of the photo is a white square button with a blue right-pointing arrow. At the bottom of the pink area, the text "Call: 215.627.2252 or Email: Lee@LLPavorsky.com" is written in a dark red font.

Happy Mother's Day

LL Pavorsky Jeweler's Mother's Day Sale is starting now.
[Click here to see what we have available.](#)

LL Pavorsky Jewelers
707 Walnut Street
Philadelphia, Pennsylvania 19106

- 33

Create Page
- Recent

2014

2013

2012
- Mara Jefferson

2m
- Nancy Phillips
- John Featherman

Mobile
- Iisa DaBalla

15m

Create Page

Recent

2014

2013

2012

3

Like · Comment · Share

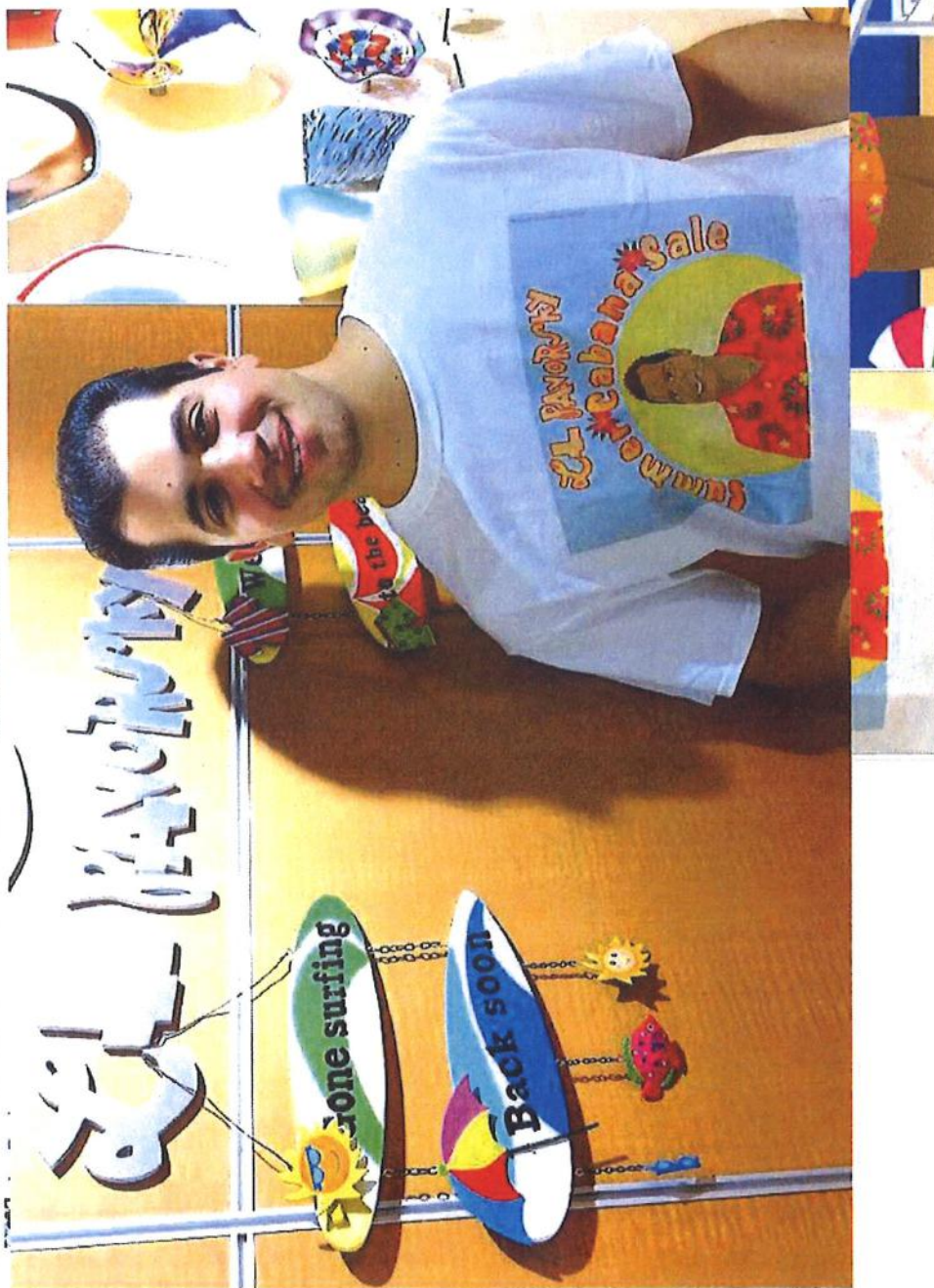
★★★★ 07/27/2013

Amazing store - Jewelry, watches, decorative pieces all one of a kind and you couldn't ask for a nicer owner!!!

Like · Comment · 1

LL Pavorsky Jewelers
July 2 · Edited

LL Pavorsky Jewelers will be closed



Like · Comment · Share

16 · 1

LL Pavorsky Jewelers
July 2 · Edited

Like · Comment · Share

Write a comment...

People You May Know

Stu Bleznak

18 mutual friends

➕ Add Friend

See All

Sponsored

Create Ad



Goodbye monthly fee

tdbank.com

It's possible with a TD Bank checking account & a \$100 minimum daily balance. Member FDIC

Email Lee at Lee@LLPavorsky.com





IT'S NOT JUST JEWELRY, IT'S...

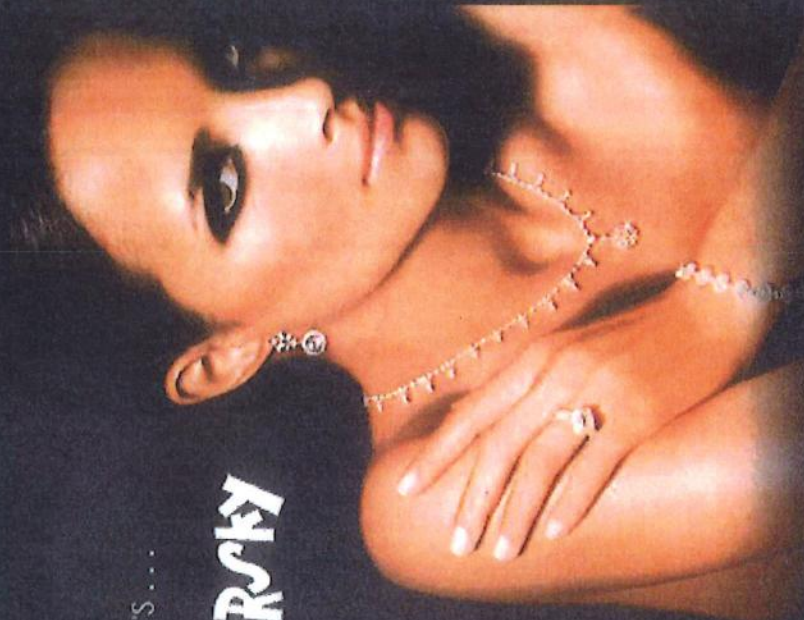
LL PAVORSKY

Welcome to LL Pavorsky Jewels and Gifts. A relaxed and intimate gallery, located in the Heart of Center City Philadelphia just off Washington Square Park. For over 20 years, my family of satisfied customers have experienced that the Client is the most important aspect of my business. I look forward to the opportunity to serve you in the near future.

L.P.

CHECK OUT OUR
ARTICLE ON
INSTOREMAG.COM

ABOUT FEATURED ITEMS MEDIA LETTERS & AWARDS RESOURCES CONTACT





CL PAVORSKY FEATURED ITEMS

PLEASE ALLOW POP-UP WINDOWS IN YOUR BROWSER. GALLERIES WILL LAUNCH IN A SEPERATE WINDOW.



ENGAGEMENT
RINGS



WEDDING
BANDS



NECKLACES



BRACELETS



PEARLS



EARRINGS



COLORLED
STONES



NEW
COLLECTIONS



WATCHES



GIFTWARE

ABOUT

FEATURED ITEMS

MEDIA

LETTERS & AWARDS

RESOURCES

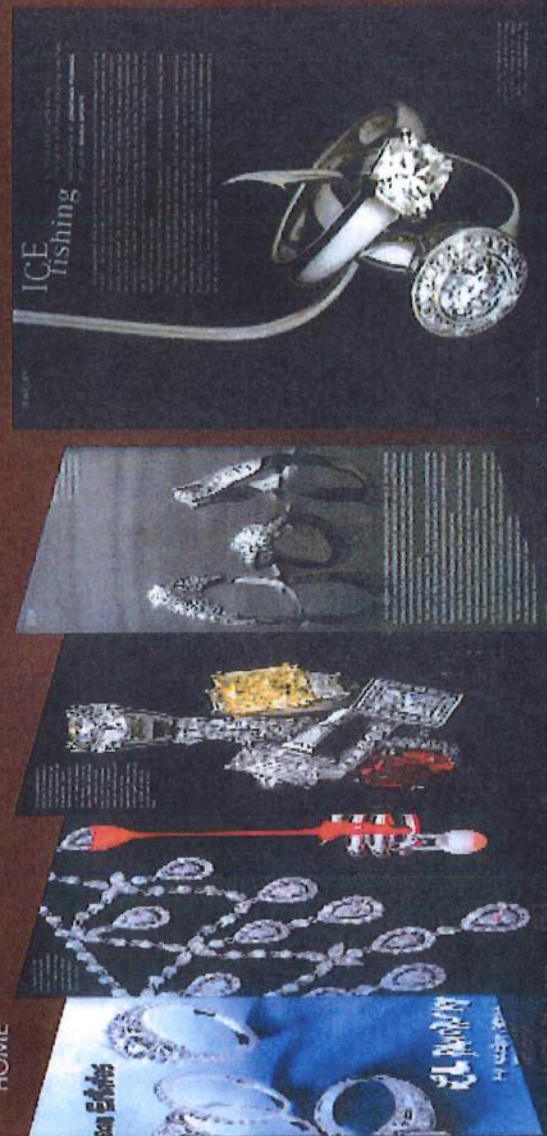
PHOTO GALLERY

CONTACT



CL FAVORSKY MEDIA

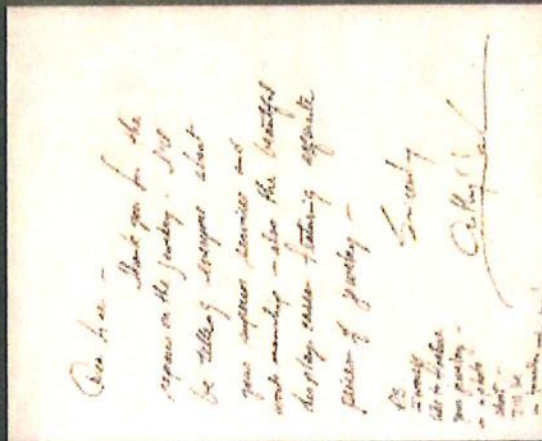
PRINT | WEB



ABOUT FEATURED ITEMS MEDIA LETTERS & AWARDS RESOURCES PHOTO GALLERY CONTACT



CL PAVORSKY LETTERS & AWARDS



ABOUT FEATURED ITEMS MEDIA LETTERS & AWARDS RESOURCES PHOTO GALLERY CONTACT



LL PAVORSKY RESOURCES

LL Pavorsky would like to ensure you have the most fulfilling shopping experience when looking for your jewelry or gifts. Below you will find links to some questions you may have. The links are provided by the Gemological Institute of America and other valuable resources.

- Advice on shopping for a diamond
- The four C's
- The "ideal cut" for a diamond
- The GIA color scale
- The GIA clarity scale

[Click here for more answers to questions you may have.](#)

LL Pavorsky recommends that you insure your fine jewelry with Jewelers Mutual. [Click here for more information on insuring your fine jewelry.](#)


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LL PAVORSKY SHOWROOM

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SELECT A GALLERY

GALLERY ONE

GALLERY TWO

GALLERY THREE

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CONTACT

LL Pavorsky Jewels and Gifts
707 Walnut Street
Philadelphia, PA. 19106

SHOWROOM:

Toll Free 877-NOW-PLAT
Phone 215-627-2252
Fax 215-627-5613
Email lee@LLPavorsky.com

Hours of Operation:

Monday Closed
Tuesday-Friday 10am-6pm
Wednesday 10am-7pm
Saturday 10am-5pm
Sunday Closed

Open 7 Days a Week: From Black Friday through Christmas Eve

Appointments are suggested.



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JS 44 (Rev. 09/11)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THE FORM.)

I. (a) PLAINTIFFS

Brett Bender

(b) County of Residence of First Listed Plaintiff Philadelphia, PA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Dennis P. McCabe, Esq., Matthew A. Homyk, Esquire, Blank Rome, LLP,
One Logan Square, Philadelphia, PA 19103

DEFENDANTS

Lee Pavinsky d/b/a LL Pavorsky Jewelers and Pavorsky, Ltd.

County of Residence of First Listed Defendant Camden County, NJ

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Robert E. Campbell, Esquire, White and Williams LLP, 457 Haddonfield Road, Ste 400, Cherry Hill, NJ 08002

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1. U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | |
|---|--|---|---|
| Citizen of This State | PTF <input type="checkbox"/> 1 DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input checked="" type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Definitive Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS <input type="checkbox"/> 510 Motions on Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Recopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdiction statutes unless diversity):

17 U.S.C. § 301

Brief description of cause:

Copyright infringement.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ IN EXCESS OF \$50,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

January 23, 2015

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

BRETT BENDER

v.

LEE PAVORSKY D/B/A LL PAVORSKY
JEWELERS and PAVORSKY, LTD.

Civil Action

No. _____

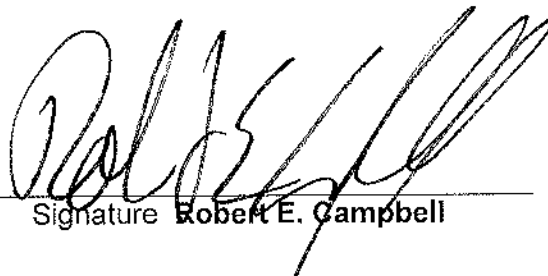
DISCLOSURE STATEMENT FORM

Please check one box:

- ☒ The nongovernmental corporate party, PAVORSKY, LTD.,
in the above listed civil action does not have any parent corporation and
publicly held corporation that owns 10% or more of its stock.
- ☐ The nongovernmental corporate party, _____,
in the above listed civil action has the following parent corporation(s) and
publicly held corporation(s) that owns 10% or more of its stock:

January 23, 2015

Date



Signature Robert E. Campbell

Counsel for: Defendants Lee Pavorsky d/b/a Pavorsky
Jewelers and Pavorsky, Ltd.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

BRETT BENDER

v.

LEE PAVORSKY D/B/A LL PAVORSKY :
JEWELERS and PAVORSKY, LTD.

Civil Action

No. _____

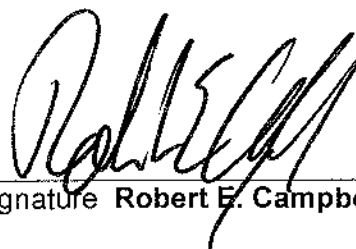
DISCLOSURE STATEMENT FORM

Please check one box:

- ☒ The nongovernmental corporate party, PAVORSKY, LTD.,
in the above listed civil action does not have any parent corporation and
publicly held corporation that owns 10% or more of its stock.
- ☐ The nongovernmental corporate party, _____,
in the above listed civil action has the following parent corporation(s) and
publicly held corporation(s) that owns 10% or more of its stock:

January 23, 2015

Date



Signature Robert E. Campbell

Counsel for: Defendants Lee Pavorsky d/b/a Pavorsky
Jewelers and Pavorsky, Ltd.

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 2240 Pemberton Street, Philadelphia, PA 19146

Address of Defendant: 707 Walnut Street, Philadelphia, PA 19106

Place of Accident, Incident or Transaction: 2240 Pemberton Street, Philadelphia, PA 19146

(Use Reverse Side for Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)).

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE IF ANY:

Case Number: Judge Date Terminated:

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Security Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases
(please specify) 28 U.S.C.A. Section 1338(a)

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All Other Diversity Cases
(Please specify)

ARBITRATION CERTIFICATION

(Check appropriate category)

I, Robert E. Campbell, counsel of record do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☒ Relief other than monetary damages is sought.

DATE: January 23, 2015

Attorney-at-Law

84382

Attorney I.D. #

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: January 23, 2015

Attorney-at-Law

84382

Attorney I.D. #

CIV. 609 (5/2012)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

BRETT BENDER	:	CIVIL ACTION
	:	
v.	:	
LEE PAVORSKY D/B/A LL PAVORSKY	:	
JEWELERS and PAVORSKY, LTD.	:	NO.
	:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

January 23, 2015

Date
Attorney-at-law

**Attorney for Defendants Lee
Pavorsky d/b/a LL Pavorsky
Jewelers and Pavorsky, Ltd.**

856-317-3600

Telephone

856-317-3601

Fax Number

campbellr@whiteandwilliams.com

E-mail Address